

PROB 12C  
(Rev. 2/13)

# UNITED STATES DISTRICT COURT

for

## DISTRICT OF NORTH DAKOTA

### Petition for Warrant or Summons for Offender under Supervision

Name of Offender: Lacey Lynn Semler Case Number: 0868 3:15CR00078

Name of Sentencing Judicial Officer: Peter D. Welte, U.S. Chief District Court Judge

Date of Original Sentence: March 24, 2016

Original Offense: Conspiracy to Possess with Intent to Distribute and Distribute Controlled Substances

Original Sentence: 66 months incarceration; 3-year term of supervised release  
Revocation Sentence (08/31/2020): 27 months incarceration; 24-month term of supervised release.

Type of Supervision: TSR

Date Supervision Commenced: 11/30/2021

Asst. U.S. Attorney: Brett M. Shasky

Defense Attorney: Chad Pennington

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### PETITIONING THE COURT

- ☒ To issue a warrant  
☐ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation No.</u>	<u>Nature of Noncompliance</u>
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- |    |  |
|----|--|
| 1. | The defendant shall totally abstain from the use of illegal drugs or the possession of a controlled substance, as defined in 21 USC§ 802 or state statute, unless prescribed by a licensed medical practitioner; and any use of inhalants. <b>On December 12, 2021, staff at Centre, Inc., in Mandan, ND, conducted a room search on Ms. Semler. During the search, a substance that appeared to be methamphetamine was found in Ms. Semler's locker. The Mandan Police Department was contacted and were able to confirm the substance to be methamphetamine. This is in violation of special condition #1.</b> |
| 2. | The defendant shall submit to drug/alcohol screening at the direction of the U.S.  |

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Probation Office to verify compliance. Failure or refusal to submit to testing can result in mandatory revocation. Tampering with the collection process or specimen may be considered the same as a positive test result. **On December 12, 2021, Centre Inc., staff conducted a room search on Lacey Semler. During the search of Ms. Semler's locker, a bottle that was filled with urine was discovered in a baby wipes package. This is in violation special condition #3.**

3. The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician. **On December 12, 2021, staff at Centre Inc, conducted a room search on Ms. Semler. During the search of her locker a glass smoking pipe was found. This is in violation of standard condition #7.**
4. As directed by the Court, if during the period of supervised release the supervising probation officer determines that the defendant is in need of placement in a Residential Reentry Center (RRC), the defendant shall voluntarily report to such a facility as directed by the supervising probation officer, cooperate with all rules and regulations of the facility, participate in all recommended programming, and not withdraw from the facility without prior permission of the supervising probation officer. The court retains and exercises ultimate responsibility in this delegation of authority to the probation officer in accordance with law. The defendant may request a hearing if the supervising probation officer recommends placement in a RRC. **On November 30, 2021, Ms. Semler commenced her 24-month term of supervised release. Ms. Semler was placed at Centre Inc, in Mandan, North Dakota. On December 13, 2021, Ms. Semler was terminated from Centre Inc., for serious violations of Centre Inc., policies.**

U.S. Probation Officer Recommendation: It is respectfully recommended a warrant be issued for the defendant and hearings be held to determine if she has violated the terms and conditions of supervised release.

- ☒ The term of supervision should be:
- ☒ Revoked.
- ☐ Extended for \_\_\_\_\_ years, for a total term of \_\_\_\_\_ years.
- ☐ The conditions of supervision should be modified as follows:

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 13, 2021

/s/ Stephanie N. Cherney  
U.S. Probation Officer

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THE COURT ORDERS:

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- ☐ No Action.
- ☒ The Issuance of a Warrant/Matter Sealed Pending Arrest.
- ☐ The Issuance of a Summons.
- ☐ Other

  
\_\_\_\_\_  
Signature of Judicial Officer

12/13/2021  
\_\_\_\_\_  
Date